

Backyard infill

PETITION OF

Planning Board

Petition filed with the City Clerk October 6, 1997

(all hearings to be completed 65 days from In City Council date)

In City Council October 6, 1997

Referred to the Planning Board for report October 20, 1997

Planning Board Hearing ~~October 20, 1997~~ ~~October 27, 1997~~
December 16, 1997

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be ~~March 11, 1998~~ March 11, 1998.)

20 days December
31 days January
28 days February
11 days March

90 days City Council hearing published Chronicle on Nov. 6, 1997
and Nov. 13, 1997

Hearing before the Ordinance Committee December 11, 1997

Reported to the City Council December 22, 1997

Passed to a second reading on December 22, 1997

published in Chronicle on January 1, 1998

Planning Board report received on February 9, 1998

Ready for ordination on January 5, 1998

Passed to be ordained on March 2, 1998

published in Chronicle on 3/5/98

COMPLETION DATE March 11, 1998



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety- Eight.

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 3.14 to read as follows:

3.14 - Further Limitations on new Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts

Notwithstanding the provisions of this Ordinance affecting the above referenced residential zoning districts, the following further limitations with regard to the construction of additional gross floor area on a lot and the addition of new parking spaces on any lot occupied by an existing residential structure shall apply in these districts until June 30, 1998:

For any lot having one or more existing residential dwelling units, no additional gross floor area that extends beyond the existing footprint shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

For any lot having one or more existing residential dwelling units, the installation of any new accessory parking space that brings the total number of such spaces on the lot to three or more.

The provisions of this Section 3.14 shall not apply to the construction of affordable dwelling units sponsored by the Cambridge Housing Authority, a non-profit housing agency, the Cambridge Affordable Housing Trust, or any other entity assisted by city, state or federal governments housing assistance programs meeting the objectives of Section 11.200 of the Zoning Ordinance.

In City Council March 2, 1998.

Passed to be ordained by a ye a and nay vote:-
Yeas 8; Nays 1; Absent 0.

ATTEST:

D. Margaret Drury
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety- Eight.

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In City Council March 2, 1998.

Passed to be ordained by a yea and nay vote:-
Yeas 8; Nays 1; Absent 0.

ATTEST:

D. Margaret Drury

D. Margaret Drury
City Clerk

City of Cambridge

MASSACHUSETTS

MMS

Unfinished Bus
8

In City Council 3/2, 1998

Backyard Infill Zoning Amendment

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Ms. Sheila T. Russell
✓				Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Francis H. Duehay

8 1 0 0

MMS on sup w/9
R10-9



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

February 3, 1998

To the Honorable, the City Council:

Subject: Planning Board recommendation on the City Council petition to impose a moratorium on certain kinds of development in Residence A-1, A-2, B, C and C-1 districts.

Recommendation. The Planning Board recommends adoption of the petition with minor changes in the text to clarify the meaning and intent of the Ordinance. The recommended revised language is attached. The Planning Board is satisfied that a process is underway, in the form of the Citywide Rezoning Committee, that will lead to a permanent recommendation with regard to concern for preservation of open space on residential lots that is the motivation for adoption of this moratorium.

For the Planning Board,

A handwritten signature in cursive script, reading "Paul Dietrich".

Paul Dietrich, Chairman

BACKYARD INFILL

Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 3.14 to read as follows:

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Revised Petition Language Recommended by the Planning Board*

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(a) For any lot having one or more existing residential dwelling units, no additional gross floor area that extends beyond the existing footprint shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

(b) For any lot having one or more existing residential dwelling units, ~~the installation of any new~~ **no additional** accessory parking spaces **shall be permitted** that brings the total number of ~~such~~ **accessory** spaces on the lot to three or more.

The provisions of this Section 3.14 shall not apply to the construction of affordable dwelling units sponsored by the Cambridge Housing Authority, a non-profit housing agency, the Cambridge Affordable Housing Trust, or any other entity assisted by city, state or federal governments housing assistance programs meeting the objectives of Section 11.200 of the Zoning Ordinance.

* New language is indicated in **Bold**, language proposed to be deleted is indicted thus: ~~Strikeout~~



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139



2.

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

February 9, 1998

To The Honorable, The City Council:

Please find attached for your consideration, a Planning Board recommendation on the City Council petition to impose a moratorium on certain kinds of development in Residence A-1, A-2, B, C and C-1 districts.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

Consent Agenda #2

**Relative to a Planning Board recommendation
on the City Council petition to impose
a moratorium on certain kinds of development
in Residence A-1, A-2, B, C, and C-1
districts.**

In City Council February 9, 1998

*Referred to
the Petition*



COMMENTARY

Be it resolved, 1998

How can one possibly celebrate another New Year without making a new set of resolutions? Is it not required of every bona fide optimist that he or she draw up a list of actions guaranteed to improve personal conduct?

Shocking as it may sound, some people have given up the practice. Alec Guinness, for instance, this celebrated 83-year-old Brit, bright star of both film and theater, confesses in the Jan. 1, 1995 issue of his published diary, "No resolutions have been made. Experience has taught me they barely survive a week."

Even Sir Alec's celebrity, however, will not seduce me into abandoning this consecrated rite of the new year. Nor will past failures. I solemnly bet you my promises will last more than a week.

Last year, admittedly, I made a resolution which, after nearly 52 weeks, has not yet found fulfillment. I bet a friend that I could teach our resident cat, Phileas J. Fogg, how to turn off the faucet for himself after he finishes drinking water from the kitchen sink.

At that time I argued altogether cogently that much could happen in the course of a year to let me succeed. In doing so, I relied on a story told by Jane Seymour, one of Henry VIII's multiple spouses, about a man condemned to death who bargained for his life.

The condemned guy, a resident of France, promised the French king that he could teach the latter's horse to talk. After all, this resourceful man argued, during the passage of a year, at least four different events could happen: the king might die, he himself might die, the horse might die, or the horse might talk.

Well, I admit that Phil has not yet done the faucet trick. But, do not rush to judgment — at the time of

BY RICHARD GRIFFIN

writing this essay I still have 72 hours left. That leaves plenty of time for any one of the four comparable eventualities to happen here.

Meantime, allow me to set forth a few simple resolutions for 1998. These are admittedly somewhat more modest than last year's because of my salutary fear of falling on my face before the literary public. (Reader's warning: some attempts at humor may have crept unnoticed into the following portion of this column.)

First, I will move to a higher standard of gerontological correctness. For example, never again will I dare suggest that all people over 65 are not absolutely wise and full of virtue. No one will convince me that we elders have failed to corner the wisdom market.

Secondly, I will agree with Deepak Chopra and similar popular writers about aging. Chopra more or less argues that aging is all in your head. If you do not think old, then you can avoid the effects of getting old. From now on, my plan is to get with this advanced thinking and run with the pack.

Third, I will put complete trust in my acquaintances who tell me, "You don't look a day over 50." After all, who can disagree with Lucille Ball's view? — The secret of staying young is to live honestly, eat slowly, and lie about your age.

My fourth resolution is to demand greater personal respect. The complaint of the British writer J. B. Priestly is also mine: "When I was young, there was no respect for the young, and now that I am old there is no respect for the old. I missed

out coming and going." Fifth, I promise never again to get the winning hit in my weekly warm-weather softball game. Beginning the star of the game is a kind of elder triumphalism which offends players who are my juniors and does not accord with mature detachment from worldly achievement.

Sixth, I will work at developing more respect for our political leaders, at least when they are over 60. Thus, Jesse Helms of North Carolina, now a venerable 76 years of age, whatever his views or actions, will have my unqualified admiration.

Finally, borrowing freely from younger generations, I will update my use of language. You will see plenty of passive nouns in this space, as in the instruction on MBTA buses: "Standees move to the rear."

Using this with-it language, I may start referring to you as a "readee." I will describe certain romances as transactions between lovers and loves. When something is bad, it will "suck." When major holidays approach, I will go beyond the "have a good one" of now common usage; instead, I will reduce my greetings to one simple word — "twitwaw."

The foregoing constitute seven solid resolutions designed to make 1998 a vintage year. Granted, they do not transform this resolver into a candidate for canonization anytime soon. But these resolves, if faithfully practiced, can surely make me a better citizen, gerontologist, and a thoroughly post-modern man.

Chronicle columnist Richard Griffin is an author and consultant who lives on Howland Street.

Do you have a comment for Richard Griffin, or an idea for a future column? Richard can be reached via e-mail at rbgri1180@aol.com.

LETTERS

Ratepayers drowning

Cambridge ratepayers should be outraged by the recent federal EPA/New England decision to mandate a water filtration treatment facility be built by the regional Massachusetts Water Resources Authority. We already pay high rates for sewer because of the Boston Harbor cleanup and we are currently buying water from MWRA while Cambridge builds its

own water treatment plant.

This facility is not needed now on environmental or public health grounds. The sound environmental strategy is to invest in prevention and protection rather than end-of-the-pipe treatment. MWRA's extensive and successful watershed protection and management program is producing the right kind of results. From a public health perspective, all criteria for getting a waiver from building a water filtration treatment

facility will be met by the MWRA in July 1998.

Moreover, a panel of experts from 11 states were convened last June by the MWRA and they found no compelling reason to build the facility and supported MWRA and the state's current strategy of additional land acquisitions, covering storage facilities and other prevention measures and not completing the design of a treatment facility at this time.

Because of a 60-day deadline (from Dec. 9) before US EPA will sue the MWRA and the state, people living and working in Cambridge need to contact John DeVillars, regional administrator at EPA/New England (1 Congress St., Boston, 02203), and ask that he rescind his decision.

ELIZABETH KLINE
Kirkland Road

Letter policy

To be published, letters must be signed and include the writer's address and daytime telephone number for verification. It should be marked "letter to the editor" and should be no more than 400 words.

We reserve the right to edit for

grammar, accuracy and libel, and to reject letters.

The deadline is Monday at noon. Fax them to 629-3381, or mail to: Letters to the Editor, Cambridge Chronicle, 240A Elm St., Suite 20, Somerville, MA 02144.

EDITORIAL

Give Russell second term

The city council meets Monday morning in the Sullivan Chambers at city hall for the first session of the new term. After being sworn-in among the company of friends and family, the only job of the council — as required by city charter for inauguration day — will be to vote for a mayor.

A good choice for the job would be to leave current Mayor Sheila Doyle Russell right where she is. Russell has been and can continue to be a stable leader as the city moves further away from the partisan politics that have divided the city for so long. Her low-profile yet dignified approach was a welcome change for many in the city two years ago.

Though historically the mayor's job is passed among deserving councilors — and there are many on our current council — it would be wise now to break from tradition and re-elect Russell to a second term. The city's mayor chairs not only the council but the school committee as well. Russell, an Independent, can bring more checks and balances to a school committee that enters its new term with a progressive majority and in the face of major changes in the school system.

The council should act quickly and avoid a repeat performance of 1996's nearly two-month stalemate. The vote on Monday should go to Russell.

LETTERS

Give Agassiz School principal a chance

As a regular reader of the Chronicle, I am shocked to see the massive amount of space that you have dedicated to the Agassiz School, mostly directed against the new principal of the Agassiz, Ms. Peggy Averitte.

However, I find it strange that you have not mentioned the harassment Ms. Averitte has suffered. Ms. Averitte has her pride and dignity and is taking the situation calmly. At the same time she continues to administer the school efficiently.

I am an Agassiz School parent of a sixth-grader. I am pleased with Ms. Averitte's methods of discipline and educating. She has made the Agassiz a learning place and not a giant recreation hall which, unfortunately, a sector of Agassiz School parents craves. The Dec. 18 meeting at Agassiz School was scarred not by Ms. Averitte's so-called failure to deliver, but by the fact that there was visible police presence inside and outside the school.

I ask you, how can Ms. Averitte be expected to do her best when she is being harassed daily? Is this behavior really what is expected in the backyard of Harvard Law School? Is that what is expected in the "Republic of Cambridge"?

Ms. Averitte was chosen out of a large pool of applicants for the principal position. Those who chose her must have seen some good in her. Give Ms. Averitte a chance and stop harassing her.

CHEMI C. KADETE
Laurel Street

Happy with Agassiz changes

Several letters in last week's Cambridge Chronicle may have left the unfortunate impression that Agassiz School's parents are uniformly disturbed by Mr. [Peter] Bloom's departure which represents the end of progressive education at the school.

While there are parents who hold that opinion, there are many others like myself, who support the superintendent decision. My children in kindergarten, first grade and seventh grade at the Agassiz are all thriving educationally while being exposed to a variety of educational approaches, from traditional to developmental.

Mr. Bloom's termination, therefore, had nothing to do with his educational philosophy, but rather his inability, or unwillingness, to complete something as basic as a lesson plan. In response, Mr. Bloom's advocates contend that he is too creative to be constrained by the curriculum frameworks which apply to other teachers, or restricted by required lesson plans which are mandated from other teachers. This perspective demeans the hard-work, imaginative, dedicated teachers who manage to instill a love of learning within their students while adhering to curriculum frameworks and preparing lesson plans.

The brouhaha about Mr. Bloom

is really a relic of the old way of running schools which, fortunately for our children, has finally met its demise. Gone are the days when a fourth-grade teacher greets incoming students from third grade who, even though they attended the same school, have widely different skills solely because they had different third-grade teachers. We now have curriculum frameworks with standards for all our children, and we now try to assess their progress in meeting those standards so that we can figure out whether they are actually learning what we want them to learn.

The failure of that old way is amply illustrated by the long waiting lists for early elementary grade seats at the Agassiz School which turn into empty middle school seats. Families did not leave the Agassiz School for more progressive educational pastures — they left because they were distressed that their children's test scores were declining as they progressed through the school.

Thankfully, with help from leaders such as Superintendent [Bobbie] D'Alessandro and Ms. [Peggy] Averitte, and the fine teachers at the Agassiz School, those of us who have chosen the Cambridge schools for our children — because we believe in public education, desire diversity, or have no other choice — have a new faith that we do not have to sacrifice our kids' education for our ideals.

GERRY McDONOUGH
Hollis Street

Harvard Univ. is a neighborhood bully

This letter is in protest of Harvard University's plan to build a new 75,000-square-foot building in a residential neighborhood on the edge of its campus. The so-called Knafel Center for Government and International Studies, which is proposed to have an enormous 55,000-square-foot of space above ground, is slated to be built on the Summer-Kirkland-Cambridge-Quincy street block, zoned residential C-1 and adjacent to a residential B area.

It is highly inappropriate to force such a huge building and its attendant impacts into this quiet, tree-lined neighborhood, which includes the Mid-Cambridge Neighborhood Conservation District, "professors row" and a number of historic structures. As a

neighborhood petition notes, the structure will degrade the quality of the lives of residents for blocks around by bringing "excessive traffic, parking, pollution, noise, wind, shadow and the loss of beauty, view, green space, history, and character."

Right now, most of the land is open green space and small buildings, which provides a transition between the residential neighborhood and Gund Hall. The new center would take away that transition zone by bringing a large academic building right into the community. It will block natural light, increase wind shear, increase noise and have other detrimental impacts. Harvard claims that the building will have no impact on parking and traffic, because no new parking facilities will be built. Will all the center's users partake of public transportation? Or will they drive and park in the surrounding area, putting increased pressure on the little available street parking used by residents and guests? It will also increase traffic both from faculty/students and from delivery trucks to supply the new building.

Harvard's scenarios for the building include partially or wholly demolishing or relocating one or more Greek revival buildings on Kirkland Street and/or small residential buildings on Summer Road. Unfortunately, the fact that the historic Greek revival buildings on Kirkland Street are within the Mid-Cambridge Neighborhood Conservation District does not protect them. It is my understanding that, pursuant to a private agreement entered into between Harvard and the Cambridge Historic Commission in 1986, Harvard need only "consult" with the CHC prior to demolishing the buildings or making other changes that would alter the nature of the district. This chummy arrangement benefits Harvard to the detriment of the city's residents.

Harvard claims that it has no alternative. However, several other options, including putting the building on other properties or altering an existing building such as Cooledge Hall were dismissed without being thoroughly explored with the city and its residents. Far from being a good neighbor, Harvard is the neighborhood bully who can get what it wants because it is bigger.

KEREN SCHLOMY
Irving Terrace

CAMBRIDGE CHRONICLE

Editor: Ken Maguire (617) 629-3387
Reporters: Anya Miller (617) 629-3300
Jeremiah Leibowitz (617) 629-3382
Arts Editor: Greg Reimann (781) 433-8389
Assistant Arts Editor: Tamara Wieder (781) 433-8362
Special Sections & Dining Editor: Tim Lemme (781) 433-8366
Photo Editor: David Del Poio (781) 433-8348
Editor in Chief: George Donnelly (781) 433-8350

Publisher: Kirk Davis (508) 626-3888
Art Director: Mark Gaberytha (781) 433-8370
Advertising Director: Chris Warren (781) 433-8264
Advertising Representatives: Sean Lord (781) 433-8270
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ANNUAL RETURN NOTICE
LEGAL NOTICE
THE CAMBRIDGE HISTORICAL SOCIETY
PUBLIC NOTICE

The annual return of the Cambridge Historical Society is available at the offices of John M. Monticone, CPA, One Shipyard Way, Medford, Massachusetts, for inspection during normal business hours, by any citizen who so requests within 180 days after publication of this notice of its availability.

The principal manager is Andrew Leighton, Treasurer
 Telephone: (617) 547-4252

Cambridge Chronicle, 11/6/97

AVENUE RESTAURANT LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF LICENSING
COMMISSIONERS

Notice is hereby given that Estomun, Inc. d/b/a Avenue Restaurant, Emmanuel P. Mamakos, has applied for a Common Victualer license to be exercised on the first floor at 906 Massachusetts Avenue. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises, and to have a total occupancy of 24 persons. Said license if granted would be exercised from 6:30 a.m. to 11:00 p.m. seven days.

A hearing on said application will be held on Tuesday evening, November 18, 1997 at six o'clock, in the Michael J. Lombardi Municipal Building, Basement Conference Room, 831 Massachusetts Avenue, Cambridge, MA.

Benjamin Barnes
 Kevin Fitzgerald
 Henry Breen
 License Commission

Cambridge Chronicle, 11/6/97

BERANEK FOUNDATION
LEGAL NOTICE
LEO J. BERANEK FOUNDATION

Annual Report of Leo L. Beranek Foundation for period 1 July, 1996 to 30 June, 1997 is available for inspection at the Office of the City Clerk, City Hall, Cambridge, Massachusetts, 136 Irving Street, Cambridge, MA 02138 during business hours for 180 days after this notice is published. Telephone (617) 576-5029 for appointment.

Cambridge Chronicle, 11/6/97

CAMBRIDGE ST. REQUEST
LEGAL NOTICE
REQUEST FOR MEMBERS
CAMBRIDGE STREET IMPROVEMENTS WORKING COMMITTEE

The City Manager of the City of Cambridge is requesting a Request for Members of the Cambridge Street Improvements Working Committee. Members will work with the Community Development Department and the design & transportation consultant team to develop overall conceptual drawings and preliminary design for the Cambridge Street public works improvements. The City Manager strongly encourages members of both the Cambridge Street residential and business groups to apply. The Working Committee will meet regularly for a period of up to 10 months. The City Manager will make the Working Committee selection in December 1997.

If you are interested in becoming a Working Committee member, please send a letter of interest describing the following:

- how long you have lived or worked in Cambridge
- previous experience in design, neighborhood planning, transportation planning, or community activities
- why you are interested in serving on the Working Committee

Send your letter of interest no later than November 13, 1997 to:

Robert W. Healy
 City Manager
 Cambridge City Hall
 795 Massachusetts Avenue
 Cambridge, Massachusetts 02139

For more information, please contact Jeanne Strain, Director of Economic Development, at (617) 349-4616.

Cambridge Chronicle, 10/23, 10/30, 11/6, 11/13/97

CHOCOLATE BAR LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF LICENSING
COMMISSIONERS

Notice is hereby given that The Chocolate Bar, Inc. d/b/a The Chocolate Bar, Craig Hough, Manager, has applied for a Common Victualer license to be exercised on the first floor at 1768 Massachusetts Avenue. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises, and to have a total occupancy of 12 persons. Said license if granted would be exercised from 7:00 a.m. to 11:00 p.m. seven days.

A hearing on said application will be held on Tuesday evening, November 18, 1997 at six o'clock, in the Michael J. Lombardi Municipal Building, Basement Conference Room, 831 Massachusetts Avenue, Cambridge, MA.

Benjamin Barnes
 Kevin Fitzgerald
 Henry Breen
 License Commission

Cambridge Chronicle, 11/6/97

CONSTRUCTION HEARING
LEGAL NOTICE
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE CITY CLERK
PUBLIC NOTICE

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of

the entire membership of the City Council, will hold a public hearing on Thursday, December 11, 1997 at 5:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on an amendment to the text of the Zoning Ordinance of the City of Cambridge as set forth in full below.

3.14 - Further Limitations on New Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and G-1 Districts.

Notwithstanding the provisions of this Ordinance affecting the following residential districts, the following further limitations with regard to the construction of additional gross floor area on and about the attached parking spaces on any lot occupied by an existing residential structure shall apply in these districts until June 30, 1998:

For any lot having one or more existing residential dwelling units, no additional gross floor area that extends beyond the existing lot shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

For any lot having one or more existing residential dwelling units, the installation of any new accessory parking space that brings the total number of such spaces on the lot to three or more.

The provisions of this Section 3.14 shall not apply to the construction of affordable dwelling units sponsored by the Cambridge Housing Authority, a non-profit housing agency, the Cambridge Affordable Housing Trust, or any other entity assisted by city, state or federal governments housing assistance programs meeting the objectives of Section 11.200 of the Zoning Ordinance.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
 Councilor Francis H. Duenhay
 Chair

Cambridge Chronicle, 11/6, 11/13/97

CORPORATORS NOTICE
LEGAL NOTICE
CAMBRIDGE, MASSACHUSETTS
NOTICE OF SPECIAL MEETING
OF CORPORATORS

The Special Meeting of the Corporators of the Cambridgeport Mutual Housing Company will be held at the American Academy of Arts and Sciences, 136 Irving Street, Cambridge in the Auditorium on November 19, 1997 at 6:00 p.m. For purposes of considering and acting upon such matters as may properly come before the meeting.

ROBERT N. CANN
 CLERK

Cambridge Chronicle, 11/6/97

DOSSANTOS SUMMONS
LEGAL NOTICE
COURT DEPARTMENT
PROBATE AND FAMILY
MIDDLESEX DIVISION
DOCKET NO. 97D358-01V
SUMMONS BY PUBLICATION

Marcos Antonio R. DosSantos, Plaintiff(s) v. Marcia Valeria F. DosSantos, Defendant(s)
 A Complaint has been presented to this Court by the Plaintiff, attorney, seeking divorce.

You are required to serve upon Jose J. Macedo, Esquire - plaintiff(s) - attorney for plaintiff(s) - whose address is 421 Highland Avenue, Somerville, MA 02144 your answer on or before December 29, 1997. If you fail to do so, the court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 16th day of October, 1997.

Robert B. Antonelli
 Register of Probate Court

Cambridge Chronicle, 10/23, 10/30, 11/6/97

EDDY'S PLACE LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF LICENSING
COMMISSIONERS

Notice is hereby given under General Laws, Chapter 136, as amended, that Elm Cafe, Inc. d/b/a Eddy's Place, Edward F. Adams, Manager, holder of an All-Alcoholic Beverages as a Restaurant license at 877 Cambridge Street has applied for its license to be held as a pocket license.

A hearing on said application will be held on Tuesday evening, November 18, 1997 at six o'clock, in the Michael J. Lombardi Municipal Building, Basement Conference Room, 831 Massachusetts Avenue, Cambridge, MA.

Benjamin Barnes
 Kevin Fitzgerald
 Henry Breen
 License Commission

Cambridge Chronicle, 11/6/97

HOTEL ORDINANCE
LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION NO. 2756
IN THE YEAR ONE THOUSAND
NINE HUNDRED NINETY-SEVEN
AN ORDINANCE
 In Amendment to the "Zoning Ordinances

of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Massachusetts City of Cambridge is hereby amended as follows:

In Section 4.30 - Table of Use Regulations, line 1, 2, and Hotel, delete the current notation "Yes 7" in column four and substitute therefor the following:

- 2. Rea
- 3. A
- 4. SP
- 5. Transient accommodations 7
- 6. Hotel or motel 7

Amend the text of the Zoning Ordinance by deleting the existing Footnote 7, Section 4.40 - Footnotes to the Table of Use Regulations, in its entirety and substituting therefor the following:

7. Subject to the following provisions:

(a) Hotels and motels shall be prohibited in Residence C or Residence C-1 districts;

(b) Hotels and motels shall be permitted as of right in Residence C-3A districts and in Residence C-2A, 2B, and 3 districts where at least fifty (50) percent of the area of the lot upon which the hotel or motel is located, and the point of entry to the lot for all vehicular access to the hotel or motel, is located within the Harvard Square Overlay District, the Central Square Overlay District, or the Massachusetts Avenue Overlay District.

(c) Hotels or motels shall be permitted by special permit from the Board of Zoning Appeal (BZA) for Section 2A, 2B, and 3 districts, where paragraph (b) above does not apply. In granting such special permit the BZA shall find that the proposed location and its surrounding neighborhood is predominantly institutional or commercial in use, and specifically a low density residential area. The Board shall further find that the physical development of the site for hotel use will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the operation of the hotel or motel, with regard to the type of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts. In making these findings the Board shall consider the following, among other considerations:

1. The scale of buildings in the immediate neighborhood;
2. The extent of non-residential development in the neighborhood, including the size of buildings, the specific use, the kind and number of vehicular trips generated by those uses;
3. The density of residential uses on adjacent lots and within the immediate neighborhood;
4. The details of the operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
5. The extent of access to arterial streets that customarily accommodate or provide direct service to non residential uses;
6. The nature of site development on adjacent sites including setbacks from property lines, location and quantity of vehicular parking, the presence of accessory activities such as loading facilities, waste storage facilities, mechanical service equipment, landscaped green spaces, etc.

Passed to a second reading at the City Council Meeting held on November 19, 1997 and on or after November 17, 1997 the question comes on passing to be ordained.

ATTEST:
 D. Margaret Drury
 City Clerk

Cambridge Chronicle, 11/6/97

INCENTIVE ZONING HEARING
LEGAL NOTICE
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE CITY CLERK
PUBLIC NOTICE
RELATIVE TO ZONING

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, December 11, 1997 at 6:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on an amendment to the text of the Zoning Ordinance of the City of Cambridge as set forth in full below.

The Zoning Ordinances of the City of Cambridge is amended by amending the text by deleting the existing Section 11.200 - Incentive Zoning in its entirety and substituting a new Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by deleting in Section 5.31 - Residential Districts, Paragraph 2 - Footnotes (f) in its entirety and substituting a new Footnote (f).

In Section 11.37.0 - Planned Unit Development in the North Point Residence, Office and Business District to delete Paragraph (b) in Section 13.7.4 and to delete Section 13.7.8.3 - Inclusionary Housing Requirements in its entirety.

In Section 17.90 - Special District 9 by deleting the existing subsections 17.94,

17.95 and 17.96 entirely and substituting a new 17.94 Dimensional Requirements and to renumber the existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96 and 17.97.

In Section 17.100 - Special District 10 by deleting the existing Subsections 17.104, 17.105 and 17.106 entirely and substituting a new 17.104 Dimensional Requirement and to renumber the existing Subsections 17.107, 17.108 and 17.109 as new Subsections 17.105, 17.106 and 17.107.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
 Councilor Francis H. Duenhay
 Chair

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized and published in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting of the second publication.

Cambridge Chronicle, 11/6, 11/13/97

KOTO LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF LICENSING
COMMISSIONERS

Notice is hereby given under General Laws, Chapter 136, as amended, that Nchi Bei Enterprises, Inc. d/b/a Koto Japanese Restaurant, Susan Matsuyama, Manager, holder of a Wine and Malt Beverage as a Restaurant license at 465 Concord Avenue has applied for its license to be held as a pocket license.

A hearing on said application will be held on Tuesday evening, November 18, 1997 at six o'clock, in the Michael J. Lombardi Municipal Building, Basement Conference Room, 831 Massachusetts Avenue, Cambridge, MA.

Benjamin Barnes
 Kevin Fitzgerald
 Henry Breen
 License Commission

Cambridge Chronicle, 11/6/97

LAFOREST SUMMONS
LEGAL NOTICE
COURT DEPARTMENT
PROBATE AND FAMILY
MIDDLESEX DIVISION
DOCKET NO. 97D 948-01V
SUMMONS BY PUBLICATION

Sandra Laforest, Plaintiff(s) v. Malesela Moutiana, Defendant(s)
 To the above named Defendant(s):
 A Complaint has been presented to this Court by the Plaintiff(s), Sandra Laforest, seeking Divorce.

You are required to serve upon Sandra Laforest - plaintiff(s) - attorney for plaintiff(s) - whose address is 764 Cambridge St. #5, Cambridge, MA 02141 your answer on or before January 5, 1998. If you fail to do so, the court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 16 day of October, 1997.

Robert B. Antonelli
 Register of Probate Court

Cambridge Chronicle, 10/30, 11/6, 11/13/97

MACKENZIE ESTATE
LEGAL NOTICE
COURT DEPARTMENT
PROBATE AND FAMILY
MIDDLESEX DIVISION
DOCKET NO. 97F5058A

Estate of James J. MacKenzie also known as James MacKenzie
 A Complaint has been presented to this Court in the County of Middlesex

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Joan Fitzgerald and Mary Ellen MacKenzie of Cambridge in the County of Middlesex be appointed administrators with the will annexed of said estate without surety on their bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on November 28, 1997.

In addition you must file a written affidavit of objection to the petition stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the court, on motion with notice to the petitioner, may allow) in accordance with Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty-eight day of October in the year of our Lord one thousand nine hundred and ninety seven.

Robert B. Antonelli
 Register of Probate

Cambridge Chronicle, 11/6/97

NEEDS ASSESSMENT
LEGAL NOTICE
CITY OF CAMBRIDGE
REQUEST FOR PROPOSALS
FINANCIAL INFORMATION SYSTEM
NEEDS ASSESSMENT/SELECTION PLAN

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts, 02139 on Tuesday, November 25, 1997 at 11:00 am at which time they will be publicly opened for furnishing the following to the City of Cambridge:

Conducting a citywide needs assessment, drafting the appropriate RFP for a Financial Information System (FIS), assisting in evaluating proposals, and conducting various other activities related to the process of selecting a citywide Financial Information System.

Copies of the Request for Proposals may be obtained at the Office of the Purchasing Agent on and after November 3, 1997, between the hours of 9:30am and 5:00pm.

The successful offeror must be an Equal Opportunity Employer.

A pre-proposal conference will be held on Friday, November 14, 1997 at 9:30am, Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139.

Questions concerning the RFP may be submitted in writing by 5:00pm, Friday, November 14, 1997 to Gail Cohen, at the address above. Fax number (617) 350-4000. Answers will be sent to all vendors who received an RFP through the Purchasing Office.

Two (2) separate sealed envelopes, one (1) containing an original and ten copies of the non-price technical proposal marked "Preproposal Financial Information System (FIS) Consulting Services (Non-Price)" and one containing two copies of the price proposal marked "Price Proposals" must be submitted. The price proposal must be received by Gail Cohen, Purchasing Agent, City of Cambridge, Third Floor, City Hall, Room 303, Cambridge, MA 02139 NO LATER THAN Tuesday, November 25, 1997 at 11:00am.

Gail Cohen
 Purchasing Agent

Cambridge Chronicle, 11/6/97

NOVEMBER 19 AUCTION
LEGAL NOTICE
U-HAUL COMPANY
SELF STORAGE FACILITY SALE

Self-Storage Facility Operator's Sale for Non-payment of Storage Charges Pursuant to the Power of Sale Contained in M.G.L. Chapter 105A, Section 4, General Charges, and for the satisfaction of the Facility Operator's Lien. The following property will be sold at Public Auction at 10:00AM WEDNESDAY NOVEMBER 19, 1997 on the premises of CAMBRIDGE MOVING & STORAGE CENTER, 844 MAIN ST., CAMBRIDGE, MA. This includes household furniture, trunks, books, tools, clothes, appliances, antiques, and broca-brac miscellany held for the accounts of:

AGUIRE, VICTOR
RM 291

BASSETT, BYRON
RM 364

COX, ROBERT
RM 244

JAMES, WILLIAMS
RM 511 & 514

LEE, BARBARA
RM R3

LEVARIY, STEPHEN
RM 156

NAGINSKY, LEONID
RM 204

ONEIL, ELAINE
RM 419

Sale per order of U-Haul Company of Boston, Inc. (617)354-0500. Terms: Cash. Units sold by entry, Lic. 151.

Cambridge Chronicle, 10/30, 11/6/97

ROTHMAN LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF LICENSING
COMMISSIONERS

Notice is hereby given under General Laws, Chapter 136, as amended, that George Rothman, holder of an All-Alcoholic Beverages as a Restaurant license at 580 Massachusetts Avenue has applied for an extension of its pocket license.

A hearing on said application will be held on Tuesday evening, November 18, 1997 at six o'clock, in the Michael J. Lombardi Municipal Building, Basement Conference Room, 831 Massachusetts Avenue, Cambridge, MA.

Benjamin Barnes
 Kevin Fitzgerald
 Henry Breen
 License Commission

Cambridge Chronicle, 11/6/97

SNOWFLOW SERVICES
LEGAL NOTICE
CITY OF CAMBRIDGE
SNOWFLOWING SERVICES

The City of Cambridge is seeking independent contractors to provide snowplowing services for the City as follows:

PLETE WITH PLOWS AND NECESSARY CHAUFFEURS, DUMP TRUCKS COMPLETE WITH TALGATES AND SUCH ADDITIONAL SIDE BOARDS SO AS TO PROVIDE A MINIMUM BODY HEIGHT OF 36" AND COMPLETE WITH NECESSARY CHAUFFEURS, BLOWERS, COMPLETE WITH BLADES AND/OR BUCKETS FOR SNOWPLOWING/SNOW REMOVAL, COMPLETE WITH OPERATORS.

CONTRACT PRICES: ARE SET BY THE CITY AND ARE AVAILABLE AT THE PURCHASING DEPARTMENT (SEE BELOW).

SPECIFICATIONS: AVAILABLE AT THE PURCHASING DEPARTMENT (SEE BELOW).

INFORMATION REQUIRED: CONTRACTORS MUST SUBMIT THE SNOWFLOWING SERVICES FORM PROVIDED BY THE CITY.

WAGE RATES: AVAILABLE AT THE PURCHASING DEPARTMENT (SEE BELOW).

INSURANCE: EACH CONTRACTOR MUST PROVIDE EVIDENCE OF INSURANCE COVERING COMMERCIAL LIABILITY, AUTOMOTIVE (FOR ALL OWNED, NON-OWNED, LEASED AND HIRED VEHICLES) AND WORKERS COMPENSATION (IF APPLICABLE - IF NOT APPLICABLE CONTRACTOR MUST SIGN AFFIDAVIT PROVIDED BY THE CITY).

A CONTRACT WITH THE CITY FOR THESE SERVICES DOES NOT GUARANTEE THAT THE SERVICES WILL BE UTILIZED. CONTRACTORS PROVIDING IDENTICAL EQUIPMENT WILL BE CALLED IN THE ORDER THE REQUIRED COMPLETED CONTRACT DOCUMENTS WERE RECEIVED BY THE CITY.

ALL INDIVIDUALS OR CORPORATIONS INTERESTED IN PROVIDING SNOWPLOWING SERVICES MUST PICK UP THE NECESSARY DOCUMENTS, WHICH INCLUDE THE WAGE RATES, SPECIFICATIONS AND THE SUBMITTAL FORM, AT THE CITY OF CAMBRIDGE PURCHASING DEPARTMENT, CITY HALL, 795 MASS. AVE., THIRD FLOOR, CAMBRIDGE, MA 02139.

Cambridge Chronicle, 10/23, 10/30, 11/13/97

To place your legal notice call 1-800-624-7355.

PURPOSE: IT IS THE INTENT OF THE CITY OF CAMBRIDGE TO HIRE INDIVIDUALS, TRUCKS AND OTHER EQUIPMENT FOR SNOWPLOWING/HAULING.

CONTRACT PERIOD: NOVEMBER 15, 1997 THROUGH MAY 31, 1996.

TYPE OF EQUIPMENT SOUGHT: TRUCKS FOR SNOWPLOWING COM.

BACKYARD INFILL

Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 3.14 to read as follows:

3.14 - Further Limitations on new Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts

Notwithstanding the provisions of this Ordinance affecting the above referenced residential zoning districts, the following further limitations with regard to the construction of additional gross floor area on a lot and the addition of new parking spaces on any lot occupied by an existing residential structure shall apply in these districts until June 30, 1998:

For any lot having one or more existing residential dwelling units, no additional gross floor area that extends beyond the existing footprint shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

For any lot having one or more existing residential dwelling units, the installation of any new accessory parking space that brings the total number of such spaces on the lot to three or more.

The provisions of this Section 3.14 shall not apply to the construction of affordable dwelling units sponsored by the Cambridge Housing Authority, a non-profit housing agency, the Cambridge Affordable Housing Trust, or any other entity assisted by city, state or federal governments housing assistance programs meeting the objectives of Section 11.200 of the Zoning Ordinance.

BACKYARD INFILL

Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 3.14 to read as follows:

3.14 - Further Limitations on new Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts

Notwithstanding the provisions of this Ordinance affecting the above referenced residential zoning districts, the following further limitations with regard to the construction of additional gross floor area on a lot and the addition of new parking spaces on any lot occupied by an existing residential structure shall apply in these districts until June 30, 1998:

For any lot having one or more existing residential dwelling units, no additional gross floor area that extends beyond the existing footprint shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

For any lot having one or more existing residential dwelling units, the installation of any new accessory parking space that brings the total number of such spaces on the lot to three or more.

The provisions of this Section 3.14 shall not apply to the construction of affordable dwelling units sponsored by the Cambridge Housing Authority, a non-profit housing agency, the Cambridge Affordable Housing Trust, or any other entity assisted by city, state or federal governments housing assistance programs meeting the objectives of Section 11.200 of the Zoning Ordinance.

Advertise
Nov. 6

Ord Committee

B

Thurs Dec 11

5:30 Ord Committee - Backyard

6:30 Ord Com Exclusionary

1/13/97

4-92-01-13

order

7 Highway

City of Cambridge

The Ordinance Committee held a public hearing on December 11, 1997, beginning at 5:40 p.m. in the Sullivan Chamber for the purpose of considering a proposed amendment to the Zoning Ordinance to provide for a moratorium on backyard infill construction.

Present at the hearing were Councillor Francis H. Duehay, Chair of the Committee, Vice Mayor Kathleen L. Born, Councillor Henrietta Davis, Councillor Michael A. Sullivan, Councillor Timothy J. Toomey, Jr., Councillor Katherine Triantafyllou, and City Clerk D. Margaret Drury. Also present were Susan Schlesinger, Assistant City Manager for Community Development; Nancy Glowa, First Assistant City Solicitor; Lester Barber, Director of Land Use and Zoning, Community Development Department.

Councillor Duehay convened the hearing and explained the purpose. He stated that the petition at issue is one which the City Council requested the Community Development Department to prepare. Councillor Duehay then invited Ms. Schlesinger to begin the presentation.

Ms. Schlesinger briefly described the proposed ordinance. The goal is to prevent infill construction in lower density districts during the moratorium period, which goes through June 30, 1998, in order to allow the Planning Board and its staff to consider the issue of the proper zoning envelope for these neighborhoods, and to make recommendations to the City Council on this issue.

Councillor Davis asked about the affordable housing exclusion. Ms. Schlesinger stated that this grew out of the City Council's concern that its priority of affordable housing not be negatively impacted by this proposal.

Councillor Duehay then invited public testimony in support of the proposed zoning amendment.

David Szlag, 74 Ellery Street, spoke in support of the proposal. He stated that in the last year in his immediate neighborhood, there have been two backyard infill attempts to the detriment of the neighborhood.

Philip Dowds, 48 Banks Street, urged adoption of the proposed moratorium. He noted that the Pitkin petition proposed revision to the method of consideration of open space and stated the need for attention to this issue.

Pamela Winters, 41 Orchard Street, stated her strong support for the proposal. It will protect green space and open space for neighborhoods.

Elie Yarden, 143 Pleasant Street, spoke in support of the proposal. He stated that there is a new market in Cambridge for upscale transient housing for people who have no intention of living here and raising families here.

Karen Carmean, 1657 Cambridge Street, urged support for the proposal to protect trees in the city. Trees need open space to develop root systems. When there are trees around houses, residents save on energy used and thus save money. This proposal is also important for the quality and beauty of life in Cambridge .

Councillor Duehay then invited testimony in opposition.

Peter Cohen, 11 Donnell Street, stated that although he agrees with much of the previous testimony, he does oppose the proposal. He lives at 11 Donnell Street with his wife and two sons in a house on a large lot. He is planning to submit an application for a variance in the next two months to turn part of the present structure into an accessory apartment. As he reads the language, he is not sure whether it applies to his property. He noted that recent changes in the zoning ordinances have resulted in zoning that is more restrictive for Residence B districts (with regard to FAR requirements) than for Residence A zones. He urged changes to the proposal.

Councillor Duehay asked for the Community Development Department's comment on the specific issue raised by Mr. Cohen. Ms. Schlesinger said that the proposal affects new square footage that extends beyond the footprint, not alterations to existing structures.

Councillor Davis stated that she was told recently that the addition of skylights adds square footage. She asked what is included in the footprint. Ms. Schlesinger said that the footprint is not the same as the FAR.

Councillor Toomey asked what if someone has a vacant lot and wants to build units. Ms. Schlesinger stated that this proposal should not impact that situation. It is aimed at situations where there is an existing building on the site.

Attorney Nancy Glowa stated that if there is an existing building that is coming down and the plan is to replace it with two separate free-standing structures, this proposal could impact the building plans.

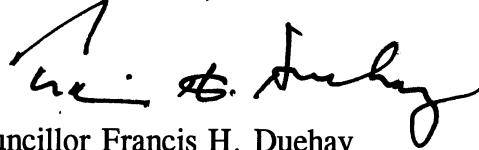
Councillor Sullivan posed the hypothetical of 5,000 sq. ft. lot with a 1,500 square foot structure, would replacing it with a 1,700 sq. ft. structure invoke the law? Ms. Glowa said no.

Vice Mayor Born said that she assumes that the ordinance would have no effect on a subdivided vacant lot. Ms. Glowa stated that that is the case.

Vice Mayor Born moved that the proposed amendment be forwarded to the full City Council with a recommendation for adoption. The motion passed on a voice vote with Councillor Toomey recorded in the negative.

Councillor Duehay thanked those present for their attendance. The meeting was adjourned at 5:25 p.m.

For the Committee,

A handwritten signature in black ink, appearing to read "Francis H. Duehay". The signature is written in a cursive style with a large initial 'F' and 'D'.

Councillor Francis H. Duehay
Chair

COMMITTEE
include in reports:
Backyard Infill Moratorium if possible
Keborn

78A Ellery Street
Cambridge, MA 02138

December 11, 1997

Councilor Kathy Borné
City Council
Cambridge, Massachusetts

Dear Councilor Borné:

We are sorry that we can not attend your meeting today on infill development in Cambridge backyards because we have a prior commitment. We are intensely interested in the topic and hope we will be able to attend future meetings.

As you suggested, we are writing a brief history of the unhappy recent experience in our neighborhood. We can supply copies of all the correspondence should that be helpful, but we thought a chronology is probably more than enough for now.

In brief, last year the absentee owner of a rooming house next to us began rehabilitating the interior of the building to create larger rental apartments. As part of the renovation he illegally and without proper permits chopped down all but one tree in the large backyard, paved the backyard from lot line to lot line, and began to allow as many as seven cars per night to park there. Since then we have been trying to get him to bring his parking lot in compliance with the zoning law by either buffering it with landscaping or stopping cars from parking there. Although the Inspectional Services Department has issued him several orders to bring the parking lot into compliance with code, every time he responds by promising to comply and then not doing anything. He clearly has no intention of complying and Inspectional Services seems unable to enforce the law despite the fact that he does not have all of his certificates of occupancy.

A brief chronology follows:

Early summer 1996:

Owner begins to chop down all the trees in the backyard. When neighbors protest to him he tells them he has all the permits to do so. Neighbors call an official of Community Development Department who comes over to look at what is happening. It is not clear that the official understands that the owner intends to convert the backyard into a parking lot, but he tells the neighbors that there is no law to stop a property owner from chopping all his trees. Owner agrees to spare one tree that will not be in the way of his parking.

Late summer 1996:

Owner paves the backyard from lot line to lot line and right up to the back wall of his building.

Spring 1996:

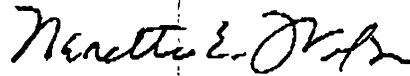
Moreover, he has rented all the units in his building without the proper certificates of occupancy. The left half of the building was fully rented last summer and the right half appears fully rented now. We think he just plans to ignore Mr. Sanganyagam and the neighbors until we give up.

Again, our personal experience has made us very interested in the problem of illegal backyard parking and development and we would be happy to support your efforts to control it.

Sincerely,



Jose A. Gomez-Ibanez



Nanette E. Wilson

XC: Mr. Sanganyagam

Ranjit Singanayagam
Assistant Commissioner
Inspectional Services Department
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

By regular and registered mail

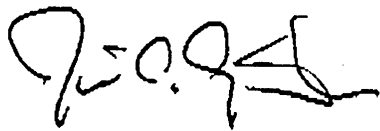
Re: Illegal parking lot in the rear of 84-86 Ellery Street

Dear Mr. Singanayagam:

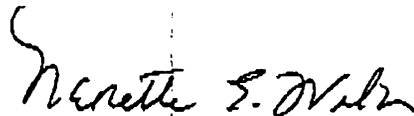
Thank you for your letter of December 3, 1997. We are sorry to inform you that Mr. LaFauci has ignored your orders to stop parking in the backyard until he brings his lot up to code. There have been at least four cars parked in the lot every night since we got your letter and no permanent barriers have been erected.

What is the next step to enforce the zoning code?

Sincerely,



Jose A. Gomez-Ibanez



Nanette E. Wilson

XC: Councilor Borne

Committee Report #2

**A report from Councillor Francis H. Duehay,
Chair of the Ordinance Committee, for a
meeting held on December 11, 1997 for
the purpose of considering a proposed
amendment to the Zoning Ordinance
to provide for a moratorium on backyard
infill construction.**

In City Council December 22, 1997

*Report accepted.
Passed to a
Second Reading.
Published in Chronicle
January 1, 1998.*

FD, HD, KB, MAS, TT

SS, Nancy G, Les B

COMMITTEE MINUTES
COVER SHEET

The Ordinance

Committee

held a public meeting/hearing on December 11, 1997, beginning at 5:40 pm in the Sullivan Chamber/Ackermann Room for the purpose of considering a proposed amendment to the Zoning Ordinance to provide for a moratorium on backyard infill construction.

Present at the hearing were Councillor Francis H.

Duehry

, Chair of the Committee, Vice Mayor Kathleen L. Born, Councillor Henrietta Davis, Councillor Francis H. Duehry, Councillor Anthony D. Galluccio, Councillor ~~Kenneth E. Reeves~~, Mayor ~~Shelia T. Russell~~, Councillor Michael A. Sullivan, Councillor Timothy J. Toomey, Jr., Councillor Katherine Triantafillou, and City Clerk D.

Margaret Drury. Also present were Susan Schlesinger, Assistant City Manager for Community Development; Nancy Glina, First Assistant City Solicitor; Leska Barber, Director of Land Use and Zoning, the Community Development Department.

Councillor Duehry convened the hearing and explained the purpose.

He stated that the petition is issued to me when the C-C requested the C-D-D to prepare. C. Duehry then invited S S to begin the presentation.

S-S- briefly discussed the proposed ordinance.

The goal is to prevent ~~any~~ infill construction in lower density districts during the maintenance period, which goes through June 30, 1998, in order to allow the ^{Planning Board} P-B and its staff to consider the issue of the proper zoning & envelopes for these neighborhoods, and to make recommendations to the C-C on this issue.

C. Davis asked ^{about} the affordable housing exclusion. S-S stated that this ^{grew} ~~grew~~ out of the City Council's concern that its priority of affordable housing not be ^{negatively} impacted.

Elic Yarden, 143 Pleasant Street, spoke in support of the proposal. ^{He stated that} There is a new market in Cambridge for upscale transient housing for people who have no intention of living here and raising families here.

Karen Carmean, 1657 Cambridge Street, urged support for the proposal to protect trees in the city. Trees need open space to develop root systems. ~~Free~~ When there are trees around houses, ~~set~~ residents save on energy use and ~~save~~ thus save \$ ^{This proposal is} also important for the quality + beauty of life in Cambridge.

FD has invoked ^{testimony} ~~test~~ in opposition

Peter Cohen, 11 Drunell Street, stated that although he agrees w/ much of the previous testimony, he does oppose the ~~order~~ proposal.

He lives at 11, Drunell Street w/ his wife and two sons in a house on a large lot. He is planning to submit an application for a variance in the next 2 months to turn part of the present structure into an accessory apartment. As he reads the language, he is not sure whether it applies to his property. He noted that recent changes in the zoning ordinances have resulted in zoning that is more restrictive for

Residence B distinct (w/ regard to FAR requirements)

than for Residence A zones. He urged

changes to the proposal

FD asked for C-D-D comment

on the specific issue raised by Mr. Cohen.

S-S said that the proposal affects new
square footage, ^{not extends beyond the footprint} not alterations to existing

structures.

C Davis stated that she was told

recently that the addition of skylights adds

square footage. She asked what is included in

the footprint. S-S said that the footprint

~~may include stairs~~ is not the same as the

FAR.

C. Torrey asked ^{what if someone} if ~~some~~ has a vacant lot r

units to build units. SS stated that this proposal

~~does~~ not impact this situation. It is aimed at

situations where there is an existing building on

the site.

Attorney

N. Glavin stated that if there is

an existing building that is coming down + the

plan is to replace it w/ (2) separate

free-standing structures, ^{where} this proposal could

impact the building plan.

posed the hypothetical of
MAS asked if there is a 5,000 sq ft

erb w/ 1500 sq ft structure. Would replacing it w/ a
1200 sq ft structure invoke the law. N.G. said no

KB said that ^{she assumes} the ~~old~~ ^{new} ~~has~~ ^{would have} no effect

on a ^{subdivided} vacant lot. N.G. stated that that is the

case.

moved that the proposed amendment be

KB ~~in~~ forwarded to the full C.C.

w/ a recommendation for adoption. ^{The motion passed} ~~with~~ ^{all}

on a voice vote, w/ ~~is from~~ T T recorded in the negative.

C. Duesky thanked those present for their

attendance. The meeting was adjourned at 5:25 p.m.

F M C

C. F. H. D., Chair

12/11/97

5:30 Ordinance Committee

SPEAKERS OPPOSED

<u>Name</u>	<u>Address</u>
Peter L. Cohen	11 Donnell St, Cambridge, MA 02138

12/21/97

5:30 Ordinance Committee

SPEAKERS IN FAVOR

<u>Name</u>	<u>Address</u>
DAVID SZLAG	74 ELLERY ST.
Philip Dows	48 Banks Street
Pamela Winters	41 Orchard St.
Elie Yarden	143 Pleasant St.
Karen Carmean	1657 Caul St. #3

PUBLIC NOTICE
RELATIVE TO ZONING

RECEIVED BY
OFFICE OF CITY CLERK
97 NOV -7 AM 11.40
CAMBRIDGE MA.

City of Cambridge

MASSACHUSETTS

OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, December 11, 1997 at 5:30 P.M. in the Sullivan Chamber, City Hall, Cambridge Massachusetts on an amendment to the text of the Zoning Ordinance of the City of Cambridge as set forth in full below.

3.14 - Further Limitations on new Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts

Notwithstanding the provisions of this Ordinance affecting the above referenced residential zoning districts, the following further limitations with regard to the construction of additional gross floor area on a lot and the addition of new parking spaces on any lot occupied by an existing residential structure shall apply in these districts until June 30, 1998:

For any lot having one or more existing residential dwelling units, no additional gross floor area that extends beyond the existing footprint shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

For any lot having one or more existing residential dwelling units, the installation of any new accessory parking space that brings the total number of such spaces on the lot to three or more.

The provisions of this Section 3.14 shall not apply to the construction of affordable dwelling units sponsored by the Cambridge Housing Authority, a non-profit housing agency, the Cambridge Affordable Housing Trust, or any other entity assisted by city, state or federal governments housing assistance programs meeting the objectives of Section 11.200 of the Zoning Ordinance.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay,
Chair

First Floor
Board

PUBLIC NOTICE
RELATIVE TO ZONING

City of Cambridge

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For the Committee,

Councillor Francis H. Duehay,
Chair

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The Zoning Ordinances of the City of Cambridge is amended by amending the text by deleting the existing Section 11.200 - Incentive Zoning provisions in its entirety and substituting a new Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by deleting in Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i) in its entirety and substituting a new Footnote (i).

In Section 113.70 - Planned Unit Development in the North Point Residence, Office and Business District to delete Paragraph (3) in Section 13.74.3 and to delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

In Section 17.90 - Special District 9 by deleting the existing subsections 17.94, 17.95 and 17.96 entirely and substituting a new 17.94 Dimensional Requirements and to renumber the existing Subsections 17.97, 17.98 and 17.99 as new Subsection 17.95, 17.96 and 17.97.

In Section 17.100 - Special District 10 by deleting the existing Subsection 17.104, 17.105 and 17.106 entirely and substituting a new 17.104 Dimensional Requirements and to renumber the existing Subsections 17.107, 17.108 and 17.109 as new Subsections 17.105, 17.106 and 17.107

Copies of this petition are on file in the Office of the City Clerk. City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay,
Chair

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

(C)Oct20



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-~~300~~ 4269

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

FAX TRANSMITTAL SHEET

DATE: Oct. 31, 1997

TO: Wendy

FAX #: 433-7929

PHONE #: _____

OF PAGES: 3

FROM: Marybeth
349-4256

ADDITIONAL COMMENT:

② weeks November 6 and
November 13

*** SUCCESSFUL TX REPORT ***

10-31-97 17:32

ID:6173494269
CAMBRIDGE CITY CLERKS OFFICE

JOB No.	-----	172
START TIME	-----	17:31
ID No.	-----	84337929
RESOLUTION	-----	STANDARD
TOTAL PAGE	-----	04
MACHINE ENGAGED	-----	01'25
INFORMATION	-----	OK
ERROR PAGE	-----	



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DATE: Oct. 31, 1997

TO: Wendy

FAX #: 433-7929

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OF PAGES: 3

FROM: Margaret
349-4256

ADDITIONAL COMMENT:

2 weeks November 6 and
November 13

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City of Cambridge

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Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

**Councillor Francis H. Duehay,
Chair**

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For the Committee,

Councillor Francis H. Duehay,
Chair

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

(C) Oct 20



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tty/TDD (617) 492-0235

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DONNA P. LOPEZ
DEPUTY CITY CLERK

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OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: THE HONORABLE, THE CITY COUNCIL
FROM: ^{DMD} D. MARGARET DRURY, CITY CLERK
DATE: November 12, 1997
RE: ORDINANCE COMMITTEE HEARINGS

Please be advised that Councillor Duehay, Chair of the Ordinance Committee, has scheduled two public hearings for Thursday, December 11, 1997 in the Sullivan Chamber as follows:

- 5:30 P.M. A petition of the Planning Board to amend the Zoning Ordinances by creating a new section 3.14 - Further Limitations on new Construction and Installation of Addition Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts.
- 6:30 P.M. A petition of the Planning Board to amend the Zoning Ordinances on a proposal for a New Citywide Inclusionary Zoning Ordinance.

Your kind attention in this matter will be greatly appreciated.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: ROBERT W. HEALY, CITY MANAGER
FROM: ^{bMD} D. MARGARET DRURY, CITY CLERK
DATE: November 12, 1997
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- 6:30 P.M. A petition of the Planning Board to amend the Zoning Ordinances on a proposal for a New Citywide Inclusionary Zoning Ordinance.

You or your designee are requested to attend at this time.

cc: Councillor Duehay
Russell Mighly
Susan Schlesinger
Les Barber
Bob Bersani



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D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: RUSSELL B. HIGLEY, CITY SOLICITOR
FROM: ^{DMD} D. MARGARET DRURY, CITY CLERK
DATE: November 12, 1997
RE: ORDINANCE COMMITTEE HEARINGS

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Your kind attention in this matter will be greatly appreciated.

cc: Councillor Duehay



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D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

**TO: SUSAN SCHLESINGER, ASSISTANT CITY MANAGER
COMMUNITY DEVELOPMENT**

FROM: ^{DMD} D. MARGARET DRURY, CITY CLERK

DATE: November 12, 1997

RE: ORDINANCE COMMITTEE HEARINGS

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Your kind attention in this matter will be greatly appreciated.

cc: Councillor Duehay



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D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

November 12, 1997


Dear Neighborhood Association:

Please be advised that Councillor Duehay, Chair of the Ordinance Committee, has scheduled two public hearings for Thursday, December 11, 1997 in the Sullivan Chamber as follows:

- 5:30 P.M. A petition of the Planning Board to amend the Zoning Ordinances by creating a new section 3.14 - Further Limitations on new Construction and Installation of Addition Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts.
- 6:30 P.M. A petition of the Planning Board to amend the Zoning Ordinances on a proposal for a New Citywide Inclusionary Zoning Ordinance.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,


D. Margaret Drury
City Clerk

DMD/mc

cc: Councillor Duehay



City of Cambridge

Calendar #1

IN CITY COUNCIL

October 20, 1997

ORDERED: That the attached petition to amend the Zoning Ordinance of the City of Cambridge by creating Section 3.14 - Further Limitations on new Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts as amended be referred to the Planning Board and Ordinance Committee for a hearing and report.

In City Council October 20, 1997.

Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in cursive script that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury
City Clerk

Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 3.14 to read as follows:

3.14 - Further Limitations on new Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts

Notwithstanding the provisions of this Ordinance affecting the above referenced residential zoning districts, the following further limitations with regard to the construction of additional gross floor area on a lot and the addition of new parking spaces on any lot occupied by an existing residential structure shall apply in these districts until June 30, 1998:

For any lot having one or more existing residential dwelling units, no additional gross floor area that extends beyond the existing footprint shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

For any lot having one or more existing residential dwelling units, the installation of any new accessory parking space that brings the total number of such spaces on the lot to three or more.

The provisions of this Section 3.14 shall not apply to the construction of affordable dwelling units sponsored by the Cambridge Housing Authority, a non-profit housing agency, the Cambridge Affordable Housing Trust, or any other entity assisted by city, state or federal governments housing assistance programs meeting the objectives of Section 11.200 of the Zoning Ordinance.



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER
Assistant City Manager for
Community Development

ELIZABETH EPSTEIN
Deputy Director for
Community Development

October 1, 1997

To: Robert W. Healy, City Manager

From: Susan Schlessinger^{SBS}, Assistant City Manager for Community Development

RE: Response to Amended Council Order 19, Calendar #17 of September 22, 1997

Enclosed please find text of a possible amendment to the Zoning Ordinance intended to address the objectives of the above referenced Council Order. In Residence A, B, C and C-1 zoning districts the amendment would: (1) only allow the addition of gross floor area on lots now containing one or more residential dwellings for the purpose of increasing the size of the existing residential units; (2) prohibit the expansion of gross floor area for the purpose of adding one or more residential units to the lot; and (3) would prohibit the addition of accessory parking spaces on a lot if the total number of spaces on the lot would exceed two. Construction of affordable housing would be exempt from these limitations.

It is well to note some issues the text raises that the City Council may wish to review. As written, the amendment would not prohibit in any way new construction on a vacant lot, or on a lot converted to residential use from some other non residential use. It would significantly limit construction and parking expansion on a very large lot that may have only one small dwelling unit on it and where some additional parking spaces or dwelling units would not be inconsistent with the objectives of the Order. Finally, the amendment's wording reflects the Department's understanding of the Order's intent that any additional parking beyond two spaces on a lot would be prohibited for the effective life of the amendment. If the intent is to allow three additional spaces to the existing inventory of parking on a lot, the text would need to be changed. The difference has implications clearly where, for instance, a multiunit dwelling may be undergoing conversion to condominiums and where there is a desire to provide additional conforming parking spaces. As with gross floor area, the amendment would not prohibit the creation of a parking facility on a vacant lot, although that use is either prohibited or requires a special permit in the affected residential districts.

Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 3.14 to read as follows:

3.14 - Further Limitations on new Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts

Notwithstanding the provisions of this Ordinance affecting the above referenced residential zoning districts, the following further limitations with regard to the construction of additional gross floor area on a lot and the addition of new parking spaces on a any lot occupied by an existing residential structure shall apply in these districts until _____, 1998:

For any lot having one or more existing residential dwelling units, no additional gross floor area shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

For any lot having one or more existing residential dwelling units, the installation of any new accessory parking space that brings the total number of such spaces on the lot to three or more.

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CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139



TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

October 6, 1997

To The Honorable, The City Council:

Please find attached a response to Calendar Item No. 17 of September 22, 1997, regarding the request to prepare a petition for consideration by the City Council which would impose a moratorium on all backyard infill construction involving additional units except affordable housing units and paving for parking lots including spaces for three or more cars in back yards, received from Assistant City Manager for Community Development Susan Schlesinger.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
attachment

Consent Agenda #7

Cal 1

0-2

Relative to Calendar Item No. 17 of September 22, 1997, regarding the request to prepare a petition for consideration which would impose a moratorium on all backyard infill construction involving additional units except affordable housing units and paving for parking lots including spaces for three or more cars in back yards.

3/2/98 Passed to be Ordained
8-1-0.

3/5/98 Published in Chronicle

In City Council October 6, 1997

Charter Right
exercised by
Councillor Sullivan

October 20, 1997
Petition amended,
Order adopted to
Councillor Toomey
recorded in the negative.

Petition referred
to Planning Board
and Ordinance Committee, 10-22-97
copies sent me